



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF PLUMBING AND HVACR EXAMINERS**

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| <b>PUBLIC MEETING MINUTES:</b> | <b>BOARD OF PLUMBING &amp; HVACR EXAMINERS<br/>LEGISLATIVE COMMITTEE MEETING</b>                    |
| <b>MEETING DATE AND TIME:</b>  | <b>Tuesday, April 11, 2017 at 8:30 a.m.</b>   |
| <b>PLACE:</b>                  | 861 Silver Lake Boulevard, Dover, Delaware<br><b>Conference Room A</b> , second floor of the Cannon |
| <b>MINUTES APPROVED:</b>       | May 9, 2017   |

**MEMBERS PRESENT**

Charles Robbins, Professional Member, President  
Frank Beebe, Professional Member  
John Mills, Professional Member  
James Anderson, Public Member

**MEMBERS ABSENT**

Harold Caswell, Professional Member, Vice President  
Sheila Littleton, Public Member  
Matthew Reilly, Professional Member  
Craig Tenaro, Professional Member  
John Brady, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Kevin Maloney, Deputy Attorney General  
Latonya Brown, Administrative Specialist II

**OTHERS PRESENT**

John Rudd, Office of State Fire Marshall  
Nicholas Allen, licensee  
David Holston, NCC  
Tony Sisofo, Town of Middletown  
Dan Fletcher, Town of Middletown  
John Behomar, NCC Dept. of Land Use  
Barbara Cooper, City of Wilmington  
Leo Lynch, City of Wilmington  
Andy Wright, Sussex County Bldg. Code  
Robert Smith, First State Inspection Agency  
Robert Pryor, Wilmington Fire Department  
Duane Fox Jr., SFMO  
Howard Fortunato, Home Builders Association of DE

## **CALL TO ORDER**

Mr. Robbins called the meeting to order at 8:50 am.

## **NEW BUSINESS**

### **Discussion of Potential Statutory & Regulatory Amendments**

A motion was made by Mr. Mills, seconded by Mr. Beebe, to table the "Discussion of Potential Statutory & Regulatory Amendments" for the next scheduled board meeting. The motion carried unanimously.

A motion was made by Mr. Brady, seconded by Mr. Mills, to amend the agenda to add and discuss "Installation of Residential Sprinklers" due to quorum issues. This will be added under Public Comment. The motion carried unanimously.

## **PUBLIC COMMENT**

### **Installation of Residential Sprinklers**

John Behomer main concerns are to clarify the avenue to legitimize plumbers installing residential sprinkler systems and the training and requirements that are needed to do these types of systems. Mr. Behomer stated that if a plumber can train and pass the pertinent requirements that are established by the State Fire Marshall or the licensing to do these types of systems, he has no problem with them doing the installation.

John Rudd is in agreement with Mr. Behomer's statements. Mr. Rudd handed out copies of the Fire Marshal regulations and stated that according to the regulations, a person is required to have a license with the State Fire Marshalls office. He also handed out the application that a plumber would have to fill out to apply for a certificate. He assured that he has no objections to plumbers installing FK-13(D) systems, but it will be required that one person on their staff be a licensed certificate holder. That way they are sure that the design of the system is proper.

Charlie Robbins questioned if it was designed by somebody, and approved by the Fire Marshal (as mentioned in the plumbing code), why would the plumber have to have the added certification to his master license if it was already approved? Mr. Robbins also inquired about the steps that are needed to get the certification.

John Rudd explained that the plumber would have to contact the office of State Fire Marshal in Dover and set up a test through the state fire school. The test will be specifically on 13(D) systems and state fire regulations. Once they pass the test they become a licensed certificate holder and the license is renewed every year.

Charlie Robbins is concerned that there could be problems because there is nothing addressing residential in the rules and regulations as of now.

John Rudd stated that they (state fire marshal) will be working with the municipalities to train them to do the review of the plans submitted.

Dan Fletcher mentioned that everyone is confused on how the process will work. From attending the Middletown meeting he was under the impression that anyone can pass the test for certification and install the fire system.

Kevin Maloney mentioned that the board jurisdiction revolves around the definition of plumbing services and the installation of sprinkler systems meets the definition of plumbing services.

However, the fire marshal has an additional regulatory requirement, meaning even if you are a plumber you have to get the certificate from the fire marshal to install the system. A person without a master plumber license cannot get the certificate from the fire marshal because they would be engaging in unauthorized plumbing services.

Barbara Cooper questioned the level of certification that will be required from the Fire Marshal's office. John Behomer replied that as long as the plumber's pass the testing requirements for a Class 4 license, there are no other requirements.

Duane Fox Jr. stated that a designer of the system has to be licensed through the Fire Marshal's office.

Kevin Maloney reiterated the definition of plumbing in the statute. He also stated that this board is not in the business of regulating the systems; they're in the business of requiring a license to people who engage in plumbing services. There can be other governmental entities or other requirements such as the fire marshals but this board does not have jurisdiction over it. Mr. Maloney questions if this is a board matter.

Charlie Robbins informed that this topic will remain on the agenda for further discussion.

#### **NEXT SCHEDULED MEETING**

The next board meeting will be held on May 9, 2017 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

#### **ADJOURNMENT**

A motion was made by Mr. Brady, seconded Mr. Mills, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 10:02 am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'LaTonya Brown', written in a cursive style.

**LaTonya Brown**  
Administrative Specialist II